

LAVALLEE LAW OFFICES PLLC

Attorneys and Counselors at Law

**4 WEST GATE
FARMINGDALE, NEW YORK 11735**

Telephone: (516) 756-5100

Facsimile: (516) 756-4629

November 2, 2016

VIA ECF and Federal Express

Hon. William H. Pauley III, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse Courtroom 20B
500 Pearl Street, Room 1920
New York, NY 10007

Re: Quow et al v. Accurate Mechanical Inc. et al.
Docket No.: 1:15-cv-09852-WHP

Dear Judge Pauley:

Our office represents the Defendants in connection with the above-referenced matter which involves claims for Fair Labor Standards Act ("FLSA") and New York State Wage Law violations. We write Your Honor to request an extension of the discovery deadlines upon the consent of all parties.

The parties have been diligently attending to the discovery schedule set by the Court following the certification of the collective action. While in the course of document discovery and in an effort to try to have a dialogue to resolve all the claims Plaintiff's counsel requested, and our clients have agreed, to provide records related to employees who did not opt into the collective action and who may be potential plaintiffs if and when Plaintiff moves to certify the state law class action claims. Our clients are in the process of getting these records together and hope to complete the process within the next two weeks.

Once the documents are provided to Plaintiffs' counsel, and reviewed, we are hopeful that substantive settlement discussions can be had. We agree with Plaintiff's counsel that absent these documents they would be unable to formulate a position on settlement. With this in mind, and to avoid unnecessary motion practice for class certification at this time, we respectfully request that the deadline to complete discovery be extended for sixty (60) days. This is the first request for an extension of the deadlines and is made upon consent of the parties.

Pursuant to Your Honor's rules we are annexing a proposed Revised Scheduling Order for your consideration. The parties have conferred prior to the submission of this Proposed Order to the Court.

We appreciate the Court's consideration of this application and if additional information is needed or a conference is required please do not hesitate to contact the undersigned.

Respectfully submitted,

LAVALLEE LAW OFFICES PLLC

A handwritten signature in black ink, appearing to read "Kristopher M. Dennis". The signature is stylized with a large, looped "K" and "D".

Keith Lavallee
Kristopher M. Dennis

cc: David Stein, Esq.
Samuel & Stein (via ECF)